

**NEW DRUG SHIPPED WITHOUT EFFECTIVE APPLICATION**

**3522. Para Acetylamino Benzal Thiosemicarbazone tablets. U. S. v. 499,600 Tablets \* \* \*. (F. D. C. No. 31153. Sample No. 27821-L.)**

**LIBEL FILED:** May 31, 1951, Northern District of California.

**ALLEGED SHIPMENT:** On or about September 29, 1950, by Olivier Co., Inc., from New York, N. Y.

**PRODUCT:** 499,600 tablets of *Para Acetylamino Benzal Thiosemicarbazone tablets* in 2 drums at San Francisco, Calif., together with a number of accompanying leaflets entitled "Reference Manual 601 TB1-PSL The New Antituberculous Drug."

**NATURE OF CHARGE:** Section 505 (a), the article was a new drug within the meaning of the law, and an application filed pursuant to the law was not effective with respect to the article.

**DISPOSITION:** August 10, 1951. Default decree of condemnation and destruction.

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS**

**3523. Misbranding of sulfathiazole tablets. U. S. v. Garrell's Pharmacy, Marshall F. Garrell, and Frank E. Garrell. Pleas of guilty. Garrell's Pharmacy fined \$200, Marshall F. Garrell \$100, and Frank E. Garrell \$200. (F. D. C. No. 31095. Sample Nos. 25251-L to 25253-L, incl.)**

**INFORMATION FILED:** June 21, 1951, Eastern District of Pennsylvania, against the Garrell's Pharmacy, a partnership, Philadelphia, Pa., and Marshall F. Garrell and Frank E. Garrell, partners in the partnership.

**INTERSTATE SHIPMENT:** From the State of New Jersey into the State of Pennsylvania, of quantities of sulfathiazole tablets.

**ALLEGED VIOLATION:** On or about January 9, 15, and 22, 1951, while the drug was being held for sale at Garrell's Pharmacy after shipment in interstate commerce, various quantities of the drug were repacked and sold without a prescription, which acts resulted in the repackaged drug being misbranded.

Garrell's Pharmacy was charged with causing the acts of repacking and sale of the drug involved in each of the 3 counts of the information; Marshall F. Garrell, in 1 count; and Frank E. Garrell, in 2 counts.

**NATURE OF CHARGE:** Misbranding, Sections 502 (b) (1) and (2), the repackaged tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and a portion of the repackaged tablets bore no label containing a statement of the quantity of the contents; Section 502 (e) (1), the repackaged tablets failed to bear a label containing the common or usual name of the drug; and, Section 502 (f) (1), the labeling of the repackaged tablets failed to bear adequate directions for use since the directions "1 of each every 4 hours" borne on the labeling of the tablets were not adequate directions for use.

**DISPOSITION:** September 11, 1951. Pleas of guilty having been entered, the court imposed a fine of \$200 against the partnership, \$100 against Marshall F. Garrell, and \$200 against Frank E. Garrell.